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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,432	12/06/2001	Hiroyuki Miyake	216971US2	7417
22850	7590	10/05/2005	EXAMINER	
OBLOON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			SAFAIPOUR, HOUSHANG	
		ART UNIT		PAPER NUMBER
		2622		

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/003,432	MIYAKE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Houshang Safaipour	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1-13 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3,9-11 and 13 is/are rejected.
- 7) Claim(s) 4-8 and 12 is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 06 December 2001 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 9-11 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsuzaki Miki (JP Publication number 08-140072).

Regarding claim 1, Matsuzaki discloses an imaging device comprising:

a first imaging lens and a second imaging lens whose image picking-up directions are different (fig. 2C, aperture 6 and 12);

a reflecting member for changing an optical path of an image picked up via one imaging lens such that image forming direction of said first imaging lens and said second imaging lens are set in a same direction (figs. 2C and 4, mirror 14);

an imaging device having imaging surfaces on which images picked up via said first imaging lens and said second imaging lens are formed (page 4, paragraphs 30-38);

a signal processing member for signal-processing an image signal that is converted into an electric signal by said imaging device (page 4, paragraph 35);

a display portion for displaying the image signal which is subjected to the signal processing by said signal processing member (page 4, paragraph 35); and

a selecting member for selecting the image signal corresponding to any one of said first imaging lens and said second imaging lens to display thereof on said display portion (page 5, paragraph 45).

Regarding claim 2, Matsuzaki discloses the imaging device according to claim 1, wherein said selecting member selects the image signal to be displayed on said display portion by designating reading areas, that correspond to said first imaging lens and said second imaging lens, on said imaging surfaces (page 6, paragraphs 50-60).

Regarding claim 3, Matsuzaki discloses an imaging device comprising: a first imaging lens and a second imaging lens whose image picking-up directions are different; a reflecting member for changing an optical path of an image picked up via one imaging lens such that image forming direction of said first imaging lens and said second imaging lens are set in a same direction; a holder for holding said first imaging lens and said second imaging lens and said reflecting member; an imaging device having imaging surfaces on which images picked up via said first imaging lens and said second imaging lens are formed; a signal processing member for signal-processing image signals of said first imaging lens and said second imaging lens, that are converted into electric signals by said imaging device; a display portion for displaying the image signals which are subjected to the signal processing by said signal processing member; and a moving member to which said holder is provided, for moving a position of said holder such that any one of images picked up via said first imaging lens and said second imaging lens is formed on an imaging surface of said imaging device (please refer to the arguments under claim 1 and paragraph 35).

Regarding claim 9, Matsuzaki discloses the imaging device according to claim 3, wherein said reflecting member is a mirror or a prism (mirror 14).

Regarding claim 10, Matsuzaki discloses a mobile terminal device comprising: a mobile terminal device main body having a display portion; a first imaging lens and a second imaging lens arranged on a front surface portion, on which said display portion is arranged, and a side surface portion of said mobile terminal device main body, for picking-up images positioned in mutually perpendicular directions; a reflecting member for reflecting an image picked up via said second imaging lens provided on the side surface portion to form the image in a same direction as the image picked up via said first imaging lens provided on the front surface portion; an imaging device having imaging surfaces on which images picked up via said first imaging lens and said second imaging lens are formed; a signal processing member for signal-processing an image signal that is converted into an electric signal by said imaging device; and a selecting member for selecting the image signal that is subjected to said signal processing member or a reading area on the imaging surface, that corresponds to said first imaging lens or said second imaging lens, to display any one of images picked up via said first imaging lens and said second imaging lens on said display portion (please refer to the arguments under claim 1).

Regarding claim 11, Matsuzaki discloses the mobile terminal device according to claim 10, further comprising: a light emitting member for emitting a light in an imaging direction of said second imaging lens, and an operating member for causing said light emitting member to emit a light when the image is picked up via said second imaging lens (paragraph 38).

Regarding claim 13, Matsuzaki discloses the mobile terminal device according to claim 10, further comprising: a transmitting/receiving member for transmitting/receiving the image

signal, that is subjected to signal processing by said signal processing member, to other device via a radio transmission (paragraph 35).

***Allowable Subject Matter***

Claims 4-8 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipour whose telephone number is (571)272-7412. The examiner can normally be reached on Mon.-Thurs. from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles, Sr. can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Houshang Safaipour  
Patent Examiner

  
EDWARD COLES  
SUPPLYING PATENT EXAMINER  
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